Government of Kerala
1982

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Thursday, 12th August 1982 / 21st Sravana 1904 [No. 567

GOVERNMENT OF KERALA

Industries (H) Department

NOTIFICATIONS

No. 1591/H1/82/ID. *Dated, Trivandrum, 6th August,* 1982.

I

S. R. O. No. 963/82.—WHEREAS the Government of Kerala as per Notification 1 No. 6806/H1/79/ID dated the 15th October, 1980, published as S.R.O. No. 972/80 in the Kerala Gazette Extraordinary No. 798 dated the 15th October, 1980 have declared the Malabar Steel Re-Rolling Mill (Private) Limited, Thirurangadi, as a "Relief Undertaking" for a period of two years with effect from the 15th October, 1980;

AND WHEREAS the Government of Kerala are satisfied that it is necessary that the Malabar Steel Re-Rolling Mill (Private) Limited, Thirurangadi, should be continued to be conducted as a "Relief Undertaking" for a further period of 12 months from the 15th October, 1982;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 3 of the Kerala Relief Undertakings (Special Provisions) Act, 1961 (6 of 1962), the Government of Kerala hereby declare that the Malabar Steel Re-Rolling Mill (Private) Limited, Thirurangadi shall, for a further period of twelve months from the 15th October, 1982, be conducted to serve as a measure of preventing unemployment and of unemployment relief and that the said undertaking shall accordingly be deemed to be a Relief Undertaking for the purposes of the said Act.

33/2962/MG.

II

S. R. O. No. 964/82.—In exercise of the powers conferred by section 4 of the Kerala Relief Undertakings (Special Provisions) Act, 1961 (6 of 1962), the Government of Kerala hereby direct that during the period in which the Malabar Steel Re-Rolling Mill (Private) Ltd., Thirurangadi continues as a Relief Undertaking by virtue of Notification I—No. 1591/H1/82/ID dated the 8th August, 1982 issued under sub-section (3) of section 3 of the said Act;

(i) all the provisions of the laws specified in the Schedule to the said Act, which involve any financial commitment or expenditure, shall not apply and shall be exempt in respect of the said Undertaking;

(ii) all agreements, settlements and awards made under the laws specified in the Schedule to the said Act which were applicable to the said Undertaking immediately before any loan was provided to the said undertaking by the Government for being run as a relief undertaking, shall be suspended in operation;

(iii) any liability of the said undertaking to pay tax under the Kerala General Sales Tax Act, 1963 (15 of 1963), incurred before the undertaking was declared as a relief undertaking and any remedy for enforcing the payment thereof shall be suspended and all proceedings relating to the levy, assessment, collection and recovery of such tax pending before any court, tribunal, officer or authority shall be stayed;

(iv) the liability or obligation of the said undertaking accrued or incurred before it was declared as a Relief Undertaking and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed; and

(v) the right, privilege, obligation or liability referred to in paras (iii) and (iv) above shall, on the notification ceasing to have force, revive and be enforceable and the proceedings referred to therein shall be continued:

Provided that in computing the period of limitation for the enforcement of such right, privilege, obligation or liability, the period during which it was suspended under paras (iii) and (iv) above shall be excluded.

By order of the Governor,

P. M. Abraham,
Commissioner & Special Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate their general purport).

The Malabar Steel Re-Rolling Mill (Private) Ltd., Thirurangadi, was remaining closed from August 1978 due to financial difficulties on account of adverse market conditions. The working of the Mill for the last many years has resulted in heavy loss. Kerala State Industrial Development Corporation, a Government Company and Steel Complex Ltd., its subsidiary have initiated steps for modernisation of the mill so as to make it viable. The necessary funds for the modernisation have been advanced by them. In order to prevent diversion of the funds provided, for other purposes, Government consider it expedient to continue the mill as a relief undertaking. The notification is intended to achieve this purpose.

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 6928/LA4/82. *Dated Trivandrum, 12th August* 1982.

The Public Wakfs (Extension of Limitation) Kerala Amendment Bill, 1982 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

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33/2965/MC.

THE PUBLIC WAKFS (EXTENSION OF LIMITATION) KERALA AMENDMENT BILL, 1982

A

BILL

further to amend the Public Wakfs (Extension of Limitation) Act, 1959, *in its application to the State of Kerala.*

Preamble.—WHEREAS it is expedient further to amend the Public Wakfs (Extension of Limitation) Act, 1959, in its application to the State of Kerala, for the purpose hereinafter appearing;

BE it enacted in the Thirty-third Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Public Wakfs (Extension of Limitation) Kerala Amendment Act, 1982.

(2) It extends to the whole of the State of Kerala.

(3) It shall be deemed to have come into force on the 1st day of January, 1976.

2. *Amendment of section* 3.—In section 3 of the Public Wakfs (Extension of Limitation) Act, 1959 (Central Act 29 of 1959), as in force in the State of Kerala, for the words, figures and letters "the 31st day of December, 1975", the words, figures and letters "the 31st day of December, 1983" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The period of limitation prescribed by the Public Wakfs (Extension of Limitation) Act, 1959 (Central Act 29 of 1959), as amended by the Public Wakfs (Extension of Limitation) Kerala Amendment Act, 1974 (1 of 1975), for filing suits for recovery of Wakfs properties expired on the 31st December, 1975. The State Wakf Board has reported that there are still a considerable number of Wakf properties which have been unauthorisedly alienated and

as such still under illegal possession and enjoyment and has requested for further extension of the period of limitation for filing suits for recovery of those properties. It is therefore proposed to further extend the period of limitation upto 31st December, 1983, so as to enable the Wakf Board to file suits for recovery of possession of such properties. The Bill is intended to achieve this object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

E. AHAMED

Reg. No. KL/TV(N)/12

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 6929/LA4A/82. *Dated, Trivandrum, 12th August,* 1982.

The Wakf (Kerala Amendment) Bill, 1982 together with the Statement of Objects and Reasons, and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/2967/MC

Seventh Kerala Legislative Assembly

Bill No. 3

THE WAKF (KERALA AMENDMENT) BILL, 1982

A

BILL

further to amend the Wakf Act, 1954, *in its application to the State of Kerala*

Preamble.—WHEREAS it is expedient further to amend the Wakf Act, 1954, in its application to the State of Kerala, for the purpose hereinafter appearing;

BE it enacted in the Thirty-third Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Wakf (Kerala Amendment) Act, 1982.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.

2. *Amendment of section* 46.—In section 46 of the Wakf Act, 1954 (Central Act 29 of 1954), in the proviso to sub-section (1), for the words "one hundred rupees", the words "five hundred rupees" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

According to sub-section (1) of section 46 of the Wakf Act, 1954 (Central Act 29 of 1954), the Mutawalli of every wakf shall pay to the Wakf Board such contribution not exceeding six per cent of the net annual income accruing to the wakf as the Board may, subject to the sanction of the State Government, from time to time, determine. According to the proviso to that sub-section, no contribution shall be payable if the net annual income of the wakf does not exceed one hundred rupees.

2. In view of the great hardship experienced by the small wakfs in the State due to the levy of the annual contribution under sub-section (1) of section 46, the Kerala Wakf Board has requested the Government to exempt the wakfs in the State whose net annual income does not exceed five hundred rupees, from payment of such annual contribution. It is considered that the request of the Board is reasonable and accordingly it is proposed to amend the Wakf Act, 1954, in its application to the State in order to exempt wakfs whose net annual income does not exceed five hundred rupees, from the liability to pay such contribution.

3. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill , if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

E. AHAMED.